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CENTRAL INTELLIGENCE AGENCY

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China

DATE OF INFORMATION 1952

Political - Judicial system, organization

DATE DIST. 19 Nov 1954

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SUPPLEMENT TO
REPORT NO.

THIS IS UNEVALUATED INFORMATION

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CHINESE COMMUNIST JUDICIAL SYSTEM

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The over-all judicial system of Communist China is subdivided into the court, administrative, and investigative systems. As reproduced in the chart below, the source chart does not clearly show the next steps in the breakdown, but it is known that under the court system are the military tribunals and the Supreme People's Court with its various regional, provincial, special administrative district, and hsien branch courts. The court system also includes the people's tribunals which are concerned with land reform and the Three Antis and Five Antis Movements.

To the administrative system belong the Ministry of Justice, together with its branches in the administrative areas, and the Commission of Law.

Under the investigative system is the Office of the People's Procurator General, with its branches in the administrative areas, provinces, special administrative districts, and hsien.]

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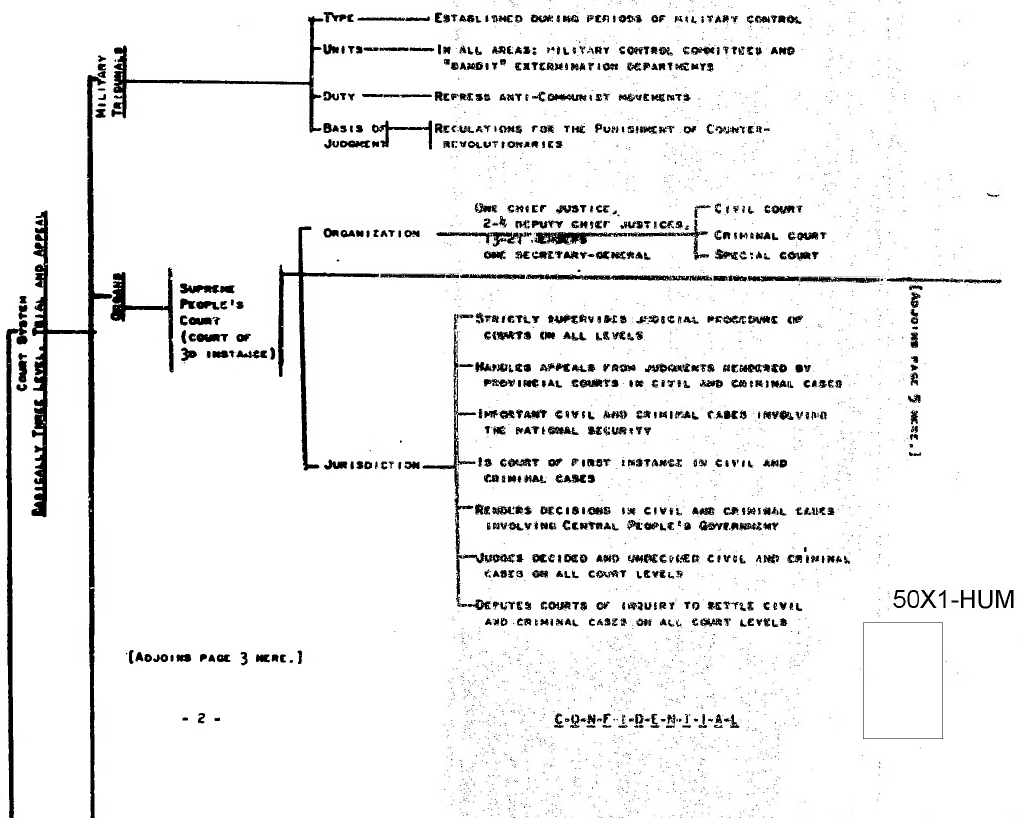
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CHINESE COMMUNIST JUDICIAL SYSTEM

JUDICIAL SYSTEM

JUDICIAL PRINCIPLES

MASS LINE
SUPPORTS THE GOVERNMENT

BASES OF
JUDGMENT

NEW LAWS

COMMON PROGRAM

REGULATIONS FOR THE PUNISHMENT OF COUNTER-
REVOLUTIONARIES

AGRARIAN REFORM LAW

MARRIAGE LAW

TRADE UNION LAW

CUSTOMS LAW

DRAFT OF NEW CRIMINAL CODE⁸

DRAFT OF GENERAL RULES OF LEGAL PROCEDURE⁸

DRAFT OF TEMPORARY REGULATIONS FOR THE
REHABILITATION OF CRIMINALS⁸

DRAFT OF PUBLIC COMPANIES LAW⁸

EDICTANCES, DECISIONS, COMMANDS, POLICIES

[ADJOINS PAGE 6 HERE.]

JUDICIAL
METHODS

COURTROOM DECISIONS

ON-THE-SPOT DECISIONS

CIRCUIT COURT DECISIONS

ON-THE-SPOT INVESTIGATIONS
(INVESTIGATIONAL COURT)

PEOPLE'S JURIES

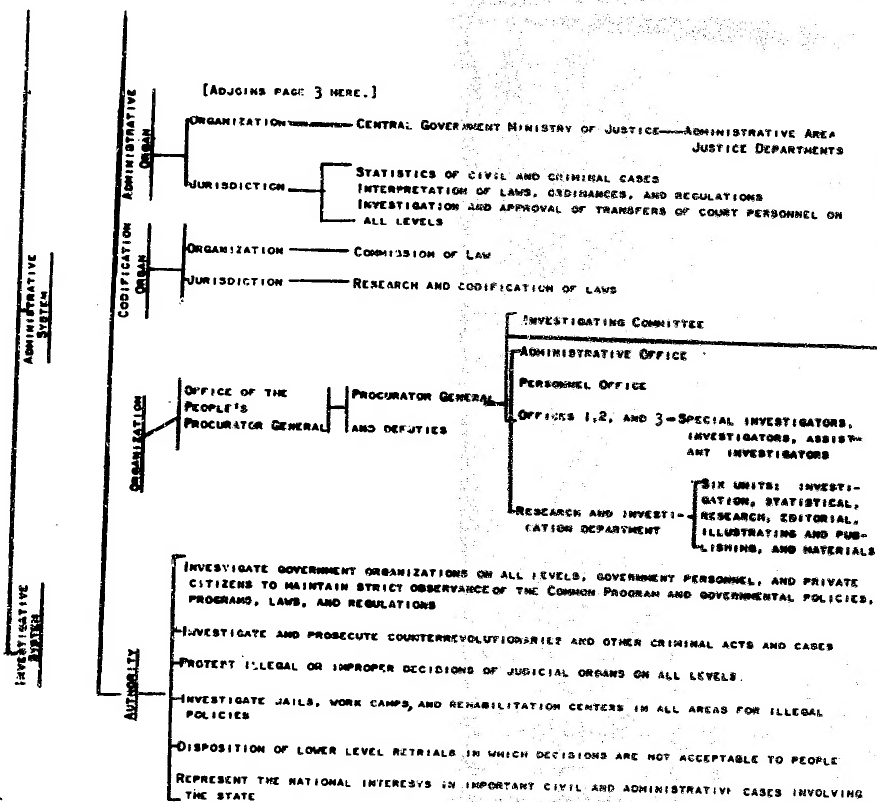
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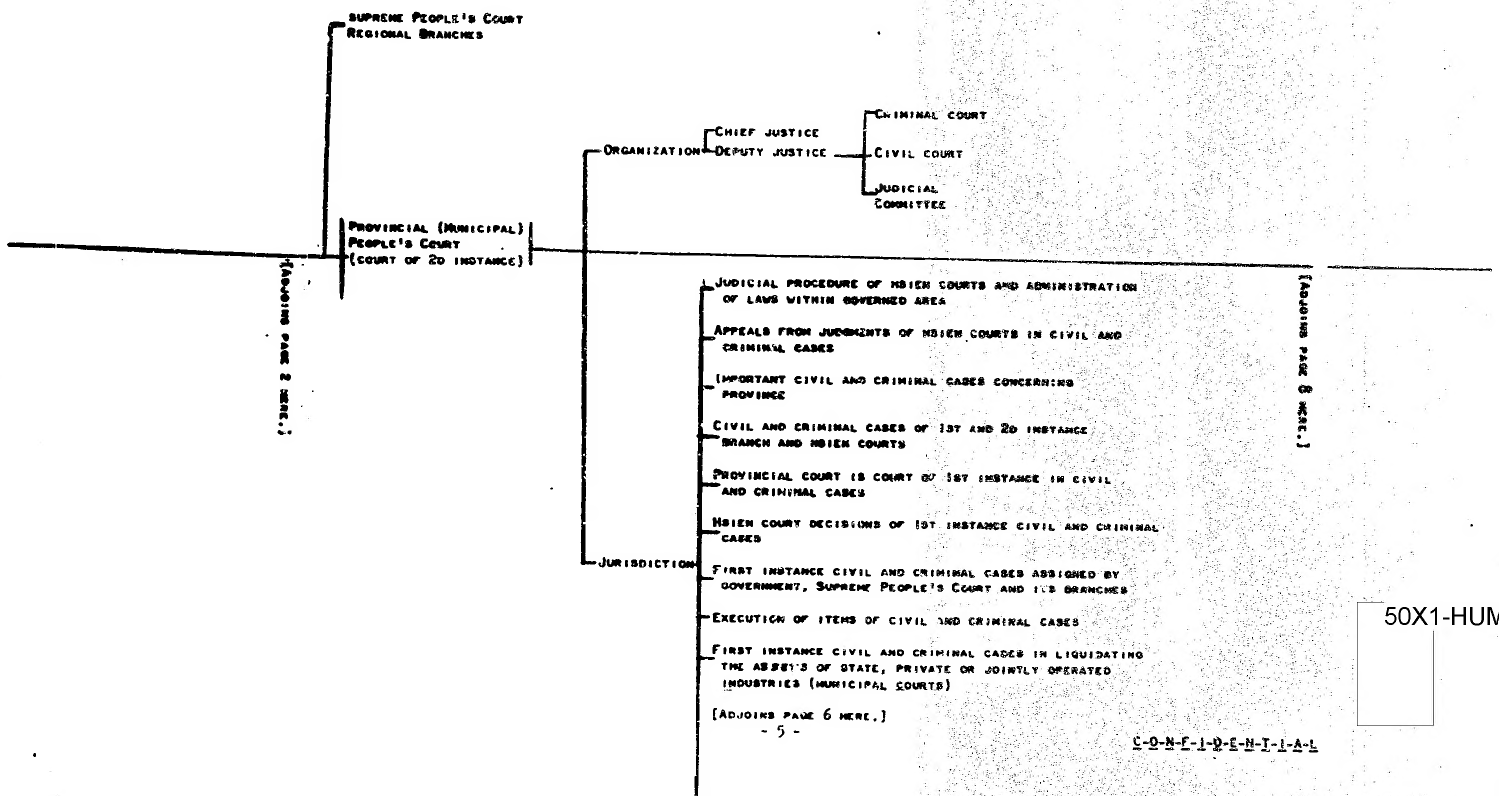
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FIRST INSTANCE CIVIL AND CRIMINAL CASES OF FOREIGN
GROUPS AND ORGANIZATIONS (MUNICIPAL COURTS)

LAWS OF CIVIL PROCESS DETERMINED BY EVIDENCE AND
OTHER ORDINANCES (MUNICIPAL COURT)

[ADJOINS PAGE 3 HERE.]

PROVINCIAL OFFICES OF
PROCURATOR GENERAL

PROCURATOR GENERAL,
DEPUTY PROCURATOR

INVESTIGATING
COMMITTEE

ADMINISTRATIVE
OFFICE

OFFICE No 1

OFFICE No 2

INVESTIGATORS
AND
ASSISTANTS

NIEN OFFICE
PROCURATOR,
DEPUTY

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PROVINCIAL OFFICE OF
PROCURATOR GENERAL,
SPECIAL ADMINISTRATIVE
DISTRICT BRANCH OFFICE

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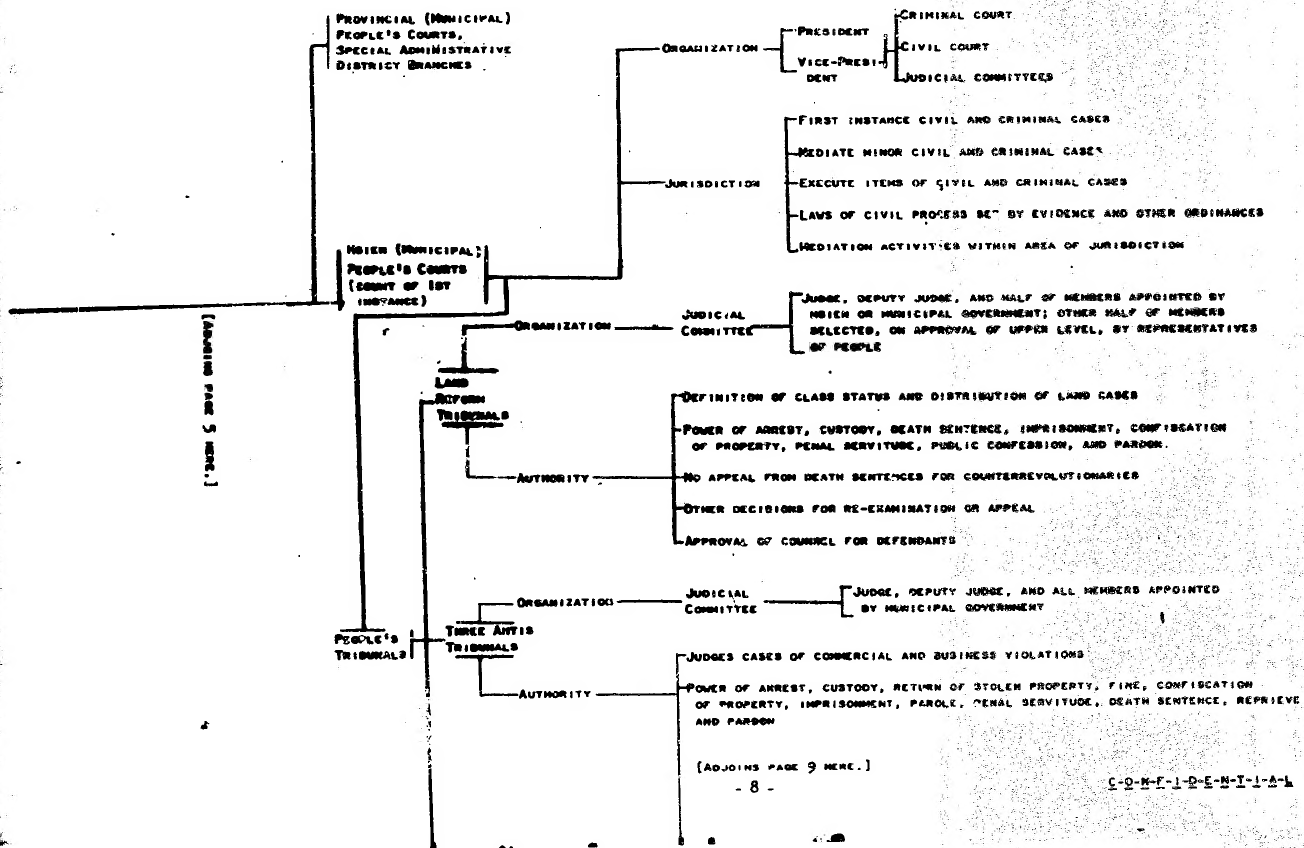
OFFICE OF THE
PEOPLE'S PROSECUTOR
GENERAL, ADMINISTRATIVE
AREA BRANCH OFFICE

(Enclosure page 6 here.)

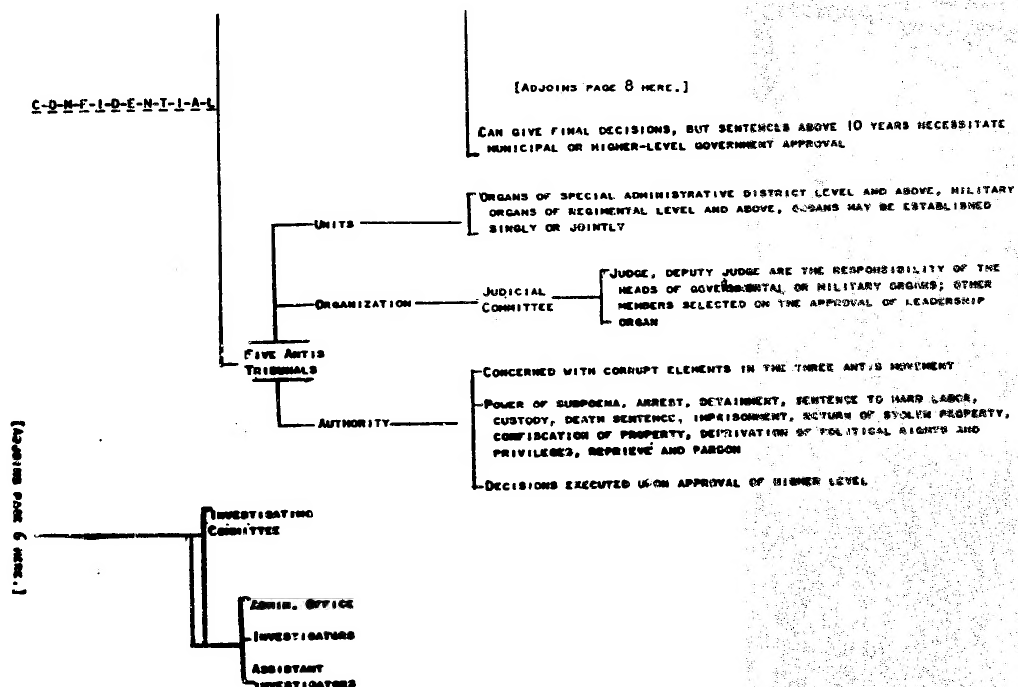
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NOTES:

1. * INDICATES LAWS WHICH ARE TO BE ENACTED AT AN APPROPRIATE TIME OR WHICH ARE AS YET UNANNOUNCED PUBLICLY.
2. JUDICIAL AND INVESTIGATIVE ORGANS ON ALL LEVELS, IN ADDITION TO BEING SUPERVISED OF UPPER-LEVEL ORGANS, ARE ALSO UNDER THE SCRUTINY OF GOVERNMENT ORGANS OF THE SAME LEVEL.
3. WHEN JUDICIAL COMMITTEES OF PROVINCIAL AND HSIEN COURTS CONVENE, THEY MAY INVITE PERSONS CONCERNED OR INTERESTED PARTIES TO PARTICIPATE AND ASSIST.
4. ON ALL LEVELS, THE INTERNAL ORGANIZATIONAL SIZE OF THE OFFICES OF THE PROCURATOR GENERAL, WHICH ARE REALLY SPECIAL SECURITY ORGANS, CANNOT BE COMPARED WITH THAT OF THE JUDICIAL ORGANS.
5. THE ESTABLISHING AND ABOLISHING OF SPECIAL CRIMINAL COURTS IN THE PEOPLE'S TRIBUNALS, WHICH ARE EQUIVALENT TO PEOPLE'S COURTS, IS DETERMINED BY PROVINCIAL AND HIGHER GOVERNMENT AUTHORITIES.
6. THE PEOPLE'S TRIBUNALS MAY ESTABLISH BRANCH TRIBUNALS, ALL OF WHOSE DECISIONS ARE EXECUTED BY THE PEOPLE'S COURTS.

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